

REMARKS

Claims 50-66 remain pending in the application with the present amendments. In the Office Action, the Examiner reopened prosecution in response to applicants' appeal brief filed January 19, 2005. All claims were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,199,076 to Logan et al. ("*Logan*"), in view of U.S. Patent No. 5,838,996 to deCarmo et al. ("*deCarmo*"), and further in view of U.S. Publication No. 2002/0042918 to Townsend et al. ("*Townsend*").

As amended herein, independent claims 50, 54 and 58 now recite that the received broadcast compressed digital signal includes audio data and picture data. In addition, each of these claims now recites a first output terminal for providing the received compressed digital signal including the audio data and the picture data to an external device or that such received compressed digital signal is provided through a first output terminal to the external device when the first output terminal is selected. Applicants respectfully submit that none of the references cited by the Examiner teaches or suggests this particular feature of the present invention. Support for the present amendments is provided, *inter alia* at p. 30, ln. 17 through p. 31, ln. 1.

Neither Logan, nor deCarmo nor Townsend teaches or suggests an integrated receiver decoder having a first output terminal for providing a received compressed digital signal including audio data and picture data to an external device. At best, Logan merely describes a system in which compressed audio recordings and/or text are stored to storage (col. 4, lns. 46-50; col. 6, lns. 32-37), not the outputting of a *compressed digital signal including audio data and picture data* to an external device.

Moreover, neither Logan, nor deCarmo nor Townsend teaches or suggests an integrated receiver decoder having a

first output terminal for providing a received compressed digital signal to an external device. Here, the Examiner cites *Logan* (col. 4, lns. 46-50) as teaching this feature. However, that passage of *Logan* merely indicates that "program data stored at 107 may advantageously include compressed audio recordings and/or text . . ." *Logan* refers to this element "program data storage" 107 (within "audio player device" 103; FIG. 1; col. 4, ln. 31) variously as "program information 107" (col. 5, lns. 36-37), the "program data store 107" (col. 6, ln. 59) and the "player's local storage unit 107" (col. 7, ln. 13). Not once does *Logan* describe such storage as an "external device." *Logan* indicates only that the data storage system 107 in *Logan* is a permanent internal feature of player 103, not an "external" device as recited in claim 50. Moreover, the program data storage 107 only communicates directly with the client CPU 105. Only an improper, strained interpretation of *Logan* would equate the means described in *Logan* used to store and retrieve data from an internal program data storage 107 by the client CPU 105 with a "first output terminal for providing the received compressed digital signal to an external device."

Moreover, such interpretation equates the client CPU 105 with the "integrated receiver decoder device" that is claimed, because only the client CPU 105 is shown and described as communicating with the program data store 107. Clearly such interpretation cannot be maintained because the client CPU 105 in *Logan* is neither an IRD having a "receiver operable to receive a broadcast compressed digital signal transmitted over a transmission medium", nor does the CPU 105 have an MPEG audio decoder operable to decode a received compressed digital signal, both being required elements of the claimed IRD. *Logan* describes modem 115, not the CPU 105, as performing the receiving function for the player.

In addition, neither *Logan* nor *deCarmo* nor *Townsend* teaches an IRD device having a second output terminal for providing decoded digital audio data, decoded from a received decompressed digital signal by a decoder of the IRD, to the external device through a one way data communication line. Here, the Examiner cites *Logan*, col. 7, lns. 63-66 as teaching this recited feature. However, this passage of *Logan* merely states "files downloaded from the host may be stored on a replaceable media [sic]. . . which may then be inserted into a portable computer." Clearly, the recited language of claim 50 is not met by the cited passage. There is nothing in this passage or elsewhere in *Logan* that would indicate that the downloading operation also includes the decoding at the player of a received digital signal which is compressed as received. In addition, as argued above, there is no teaching or suggestion in *Logan* of a second output terminal for providing digital audio data to an external device.

Further, *deCarmo* fails to teach or suggest a controller that controls the device in accordance with a connection state between the device and an external device so as to output a received compressed digital signal when an external device is connected to a first output terminal and to output decoded digital audio data when the external device is connected to a second output terminal. *deCarmo* merely describes management of a digital signal between an operating system 214 (FIG. 2) and a digital signal device 200 of a computer (FIG. 1), for example, to "maximize the usage of any digital signal device hardware capabilities" (Abstract). Here, applicants assert that the above remarks distinguishing the "IRD" and its relation in outputting a signal to an "external device", as recited in claim 50, apply as well to *deCarmo*. *deCarmo* neither teaches nor suggests a broadcast signal receiving device having a set of output terminals operable to output different types of signals

to external devices depending upon their connection states. In addition, with respect to *deCarmo*, the type of signal output to the digital signal device 200 does not depend on whether the digital signal device is connected to a particular output terminal of a device. As described in *deCarmo*, the type of signal output to the digital signal device 200 depends upon the capabilities of that digital signal device. *deCarmo* makes no distinction as to what kind of signal the digital signal device 200 can receive based upon a particular *terminal* to which that digital signal device is connected.

Claims 54 and 58 contain similar recitations and, therefore, should be allowed over the cited references for the same reasons as discussed above. In addition, all other pending claims depend from either claim 50, claim 54 or claim 58, and are allowable at least on that basis.

Moreover, as to claims 52 and 56, Neither *Logan*, nor *deCarmo* nor *Townsend* teaches or suggests that additional information multiplexed with the received compressed digital signal is provided to the external device when the received compressed digital signal is provided to the external device through the first output terminal, but that the additional information is not provided when another one of the output signals is provided to the external device through a different one of the output terminals.

While *Logan* describes more than one type of information being transmitted to player 103, *Logan* neither teaches nor suggests a system which provides or does not provide certain additional information to an external device based on whether the external device is connected to a particular one of several output terminals. Neither does *deCarmo* or *Townsend*. Hence, claims 52 and 56 recite features which provide an independent basis for distinguishing the invention over the references cited by the examiner.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which she might have. If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: August 8, 2005

Respectfully submitted,

By 

Daryl K. Neff

Registration No.: 38,253

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant